

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE BRICKLAYERS)	
AND ALLIED CRAFTSMEN LOCAL 56)	
FRINGE BENEFIT FUND,)	
)	
Plaintiffs,)	Case No. 08 cv 1981
)	
v.)	Judge Dow
)	
COMPLETE MASONRY SOLUTIONS, INC.,)	Magistrate Judge Cox
AN ILLINOIS CORPORATION, AND DOUG)	
WINIKATES, INDIVIDUALLY,)	
)	
Defendants.)	

PLAINTIFFS INITIAL RULE 26(a)(1) DISCLOSURES

Plaintiffs by and through their attorneys, DONALD D. SCHWARTZ and ARNOLD AND KADJAN, hereby submit disclosures pursuant to Fed. R. Civ. P 26(a)(1) as follows:

26 (a)(1)(A)(i)—Those Individuals with Discoverable Information.

1. Defendant, Douglas Winikates, 3801 Highview Dr., Crystal Lake, IL 60012, (815) 477-0155. The subjects of discoverable information that Mr. Winikates likely has are:

- a) history of payments on note held by Plaintiffs;
- b) number of hours worked by company employees that are covered by the collective bargaining agreement;
- c) amount which Defendants owe in fringe benefit contributions on hours worked from January 1, 2007 to the present by bargaining unit employees.

2. Doug Johnston- Collection Coordinator, Bricklayers Local 56 Funds has information on hours reported and fringe benefit contributions paid and owed to the Plaintiffs by Defendants. Mr. Johnston can be contacted through counsel for Plaintiffs.

3. The auditors of Richard Wolf & Company, Inc., 10120 East Tanglewood Circle, P.O. Box 591, Palos Park, IL 60464, will conduct an audit for the period January 1, 2007 to the present once Defendants turn over the documents needed to produce said audit. The auditors will produce an audit indicating amounts owed.

26 (a)(1)(A)(ii)—Those Documents in Plaintiffs' Possession.

1. The installment note Defendants signed, which is attached to the complaint, as well as a ledger and copies of checks indicating which note payments were made by Defendants. These documents and all documents described in paragraph 2 and 3 below that are in Plaintiffs possession are held at Plaintiffs' attorney's office at 19 W Jackson, Chicago, IL.

2. Contribution reports and records of checks submitted to the Plaintiffs, pertaining to the Defendants' history of reporting and paying fringe benefit amounts to the Plaintiffs.

3. Documents indicating Defendants obligations to the Funds, including the collective bargaining agreement, the Articles of Agreement signed by Defendants, and Trust Agreements.

26 (a)(1)(A)(iii)—Computation of Damages.

1. Liability on Delinquent Note: Note payments were made by Defendants for each month from October 2007 to February 2008 but were missed for months March 2008 to June 2008, resulting in the remaining note balance of \$8,701.42 to be accelerated to fully due and owing to Plaintiffs.

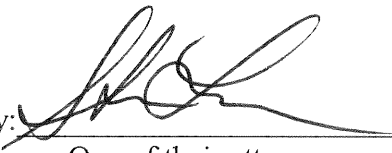
2. Additionally, further liability may be found for period January 1, 2007 to the present based on the audit of the Defendant corporation to be conducted by Richard J. Wolf and Company per their audit guidelines.

26 (a)(1)(A)(iv)—Insurance Agreements.

1. There are no insurance agreements of the type describe in this section pertaining to this case of which the Plaintiffs are aware.

Respectfully submitted,

TRUSTEES OF THE BRICKLAYERS AND
ALLIED CRAFTSMEN LOCAL 56 FRINGE
BENEFIT FUND

By: 
One of their attorneys

DONALD D. SCHWARTZ
SHANE LUEDKE
ARNOLD AND KADJAN
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PROOF OF SERVICE

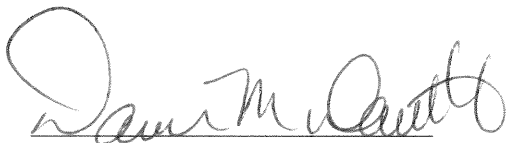
The undersigned, duly sworn, on oath states that a copy of the foregoing Plaintiffs Initial Rule 26(a)(1) Disclosures was served upon:

Complete Masonry Solutions and Douglas Winekates
3801 Highview Dr.
Crystal Lake, IL

by placing same in an envelope, properly addressed as set out above, with first-class postage prepaid and depositing such envelope in the United States Mail located at the corner of Jackson Boulevard and Dearborn Street, Chicago, Illinois, on June 6th, 2008 at or before 5:00 p.m.



SUBSCRIBED AND SWORN TO
before me this 6th day of
June, 2008



Notary Public

